

**Mississippi Electronic Courts**  
**Seventh Circuit Court District (Hinds Circuit Court - Jackson)**  
**CIVIL DOCKET FOR CASE #: 25CI1:20-cv-00622-WLK**

SANDERS v. MISSISSIPPI DEPARTMENT OF  
 REHABILITATION SERVICES  
 Assigned to: Winston L Kidd

**Upcoming Settings:**

None Found

Date Filed: 10/02/2020  
 Current Days Pending: 68  
 Total Case Age: 68  
 Jury Demand: None  
 Nature of Suit: 45 Breach of Contract

**Plaintiff**

**SANDRA SANDERS**

represented by **Robert Nicholas Norris**  
 Watson & Norris, PLLC  
 1880 lakeland drive  
 Suite G  
 JACKSON, MS 39216  
 601-968-0000  
 Fax: 601-968-0010  
 Email: nick@watsonnorris.com  
**ATTORNEY TO BE NOTICED**

STATE OF MISSISSIPPI, COUNTY OF HINDS  
 I, Zack Wallace, Clerk of the Circuit Court in and for the said State  
 and County do hereby certify that the above and foregoing is a true  
 and correct copy of the original Court Documents  
 and the same is of record in this office in MEC  
 Book No. 20-1622 at page 1.  
 Given under my hand and the seal of the Circuit Court  
 this the 28th day of December 2020.  
 Zack Wallace, Circuit Clerk

BY W. Shirley D.C.

**Louis Hanner Watson, Jr.**  
 Watson & Norris, PLLC  
 1880 Lakeland Drive  
 JACKSON, MS 39216  
 601-968-0000  
 Fax: 601-968-0010  
 Email: louis@watsonnorris.com  
**ATTORNEY TO BE NOTICED**

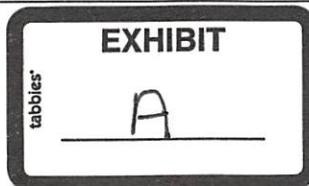
V.

**Defendant**

**MISSISSIPPI DEPARTMENT OF  
 REHABILITATION SERVICES**



Date Filed	#	Docket Text
10/02/2020	<u>2</u>	COMPLAINT against MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES, filed by SANDRA SANDERS. (Attachments: # <u>1</u> Civil Cover Sheet,) (DKW) (Entered: 10/05/2020)
10/02/2020	<u>3</u>	



		SUMMONS Issued to MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES. (DKW) (Entered: 10/05/2020)
10/05/2020	<u>4</u>	NOTICE of Appearance by Robert Nicholas Norris on behalf of SANDRA SANDERS (Norris, Robert) (Entered: 10/05/2020)
12/07/2020	<u>5</u>	SUMMONS Returned Executed by SANDRA SANDERS. MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES served on 12/1/2020, answer due 12/31/2020. Service type: Personal (Watson, Louis) (Entered: 12/07/2020)

<b>MEC Service Center</b>			
<b>Transaction Receipt</b>			
12/09/2020 13:58:57			
<b>You will be charged \$0.20 per page to view or print documents.</b>			
MEC Login:	jc99546M	Client Code:	
Description:	Docket Report	Search Criteria:	25CI1:20-cv-00622-WLK
Billable Pages:	1	Cost:	0.20

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IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

SANDRA SANDERS

PLAINTIFF

VS.

CASE NO.: 20-622

MISSISSIPPI DEPARTMENT OF  
REHABILITATION SERVICES

DEFENDANT

COMPLAINT  
JURY TRIAL DEMANDED

COMES NOW the Plaintiff, Sandra Sanders, by and through counsel, Watson & Norris, PLLC, and files this action to recover damages for violations of her rights under Title VII of the Civil Rights Act of 1964, as amended against the Defendant, Mississippi Department of Rehabilitation Services. As more specifically set forth below, Plaintiff has been subjected to race discrimination in violation of Title VII of the Civil Rights Act of 1964. In support of this cause, the Plaintiff would show unto the Court the following facts to-wit:

PARTIES

1. Plaintiff, Sandra Sanders, is an adult female citizen of Clarke County, Mississippi.

2. Defendant, Mississippi Department of Rehabilitation Services, is a Mississippi state agency qualified to do business in Mississippi. Defendant may be served with process through the Mississippi Attorney General's Office: Honorable Lynn Fitch, Mississippi Attorney General, 550 High Street, Suite 1200, Jackson, Mississippi 39205.

JURISDICTION AND VENUE

3. This Court has concurrent subject matter jurisdiction and venue is proper

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in this Court.

4. This Court has personal and subject matter jurisdiction over the Defendant and venue is proper in this Court

5. Plaintiff timely filed a Charge of Discrimination on August 28, 2019, with the EEOC, a true and correct copy of which is attached as Exhibit "A." On July 7, 2020, the EEOC issued a Dismissal and Notice of Rights, a true and correct copy of which is attached as Exhibit "B." Plaintiff timely files this cause of action within ninety (90) days of receipt of her Dismissal and Notice of Rights.

#### STATEMENT OF THE FACTS

6. Plaintiff is a 49-year old black female resident of Clarke County, Mississippi.

7. Plaintiff was hired on October 15, 2001 at the Mississippi Department of Rehabilitation Services.

8. In March 2014, Plaintiff was promoted to the position of District Manager of the Meridian District.

9. Plaintiff assumed this role when Ms. Carol Elrod (white female) was demoted from the position following an investigation of her (Ms. Elrod's) leadership conducted by the MS Legislative Committee on Performance Evaluation and Expenditure Review.

10. Based on the negative results found in this investigation (i.e., poor leadership, mismanagement of personnel under her leadership, hostile work environment for staff, unfair treatment of staff, racial discrimination, and harassment of staff), MDRS Executive Director Butch McMillian made the decision to demote Ms. Elrod and to replace her with Plaintiff.

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11. Around February 2019, Plaintiff expressed interest to her Regional Manager, Janice Berry, about being promoted to the position of Director of Client Services.

12. On August 1, 2019, despite Plaintiff's expressed interest in being promoted to an upper level management position, Carol Elrod (white female) was hired as the Director of Client Services.

13. The position was never even posted, and Plaintiff was never afforded the opportunity to apply or interview for it.

14. Instead, Ms. Elrod was simply appointed to the position by Executive Director of MDRS Chris Howard (white male). Since then, the Executive Director has continued to abuse his powers by making state service pin jobs non-state service pins job, so he can hire who he wants into upper level management positions. The Executive Director has not promoted any of the black female managers and has created a hostile work environment for Plaintiff to work within.

#### CAUSES OF ACTION

##### COUNT I: VIOLATIONS OF TITLE VII - RACE DISCRIMINATION

15. Plaintiff incorporates the above paragraphs 1 through 14 as though specifically set forth herein.

16. Plaintiff has been discriminated against in the terms and conditions of her employment on the basis of her race.

17. Plaintiff has suffered adverse employment action, denial of promotional opportunity, as a result of the Defendant's discriminatory treatment of Plaintiff.

18. Plaintiff has been harmed as a result of the Defendant's discrimination, and the Defendant is liable to the Plaintiff for the same.

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19. The acts of the Defendant constitute a willful intentional violation of Title VII of the Civil Rights Act of 1964 and entitle Plaintiff to recovery of damages.

**PRAYER FOR RELIEF**

WHEREFORE PREMISES CONSIDERED, Plaintiff respectfully prays that upon hearing of this matter by a jury, the Plaintiff be granted the following relief in an amount to be determined by the jury:

1. Promotion or future wages in lieu of promotion;
2. Back pay and lost benefits;
3. Tax gross-up and all make whole relief;
4. Compensatory damages;
5. Attorney's fees;
6. Pre-judgment and post-judgment interest;
7. Costs and expenses; and
8. Any other relief to which she may be properly entitled.

THIS, the 30<sup>th</sup> day of September 2020.

Respectfully submitted,

SANDRA SANDERS, PLAINTIFF

By: /s/Louis H. Watson, Jr.  
Louis H. Watson, Jr. (MB# 9053)  
Nick Norris (MB#101574)  
Attorneys for Plaintiff

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OF COUNSEL:

WATSON & NORRIS, PLLC  
1880 Lakeland Drive, Suite G  
Jackson, Mississippi 39216-4972  
Telephone: (601) 968-0000  
Facsimile: (601) 968-0010  
Email: [louis@watsonnorris.com](mailto:louis@watsonnorris.com)  
[nick@watsonnorris.com](mailto:nick@watsonnorris.com)

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<b>CHARGE OF DISCRIMINATION</b> <small>This form is affected by the Privacy Act of 1974. (Information Quality Act Supplements and other information available at <a href="http://www.oei.dhs.gov">www.oei.dhs.gov</a>)</small>		<b>Charge Presented To:</b> Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 423-2019-01876  <small>and EEOC</small>
Name (Indicate Mr., Ms., Mrs.) <b>Ms. Sandra Sanders</b>		Home Phone (Ind. Area Code), <b>(601) 513-2602</b>
Street Address <b>Post Office Box 231, Enterprise, MS 39330</b>		City, State and ZIP Code
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Disminated Against Me or Others. (If more than two, list under PARTICULARS below.)		
Name <b>MS DEPARTMENT OF REHABILITATION SERVICES</b>		No. Employees, Managers <b>201 - 500</b>
Street Address <b>1281 Highway 51, Madison, MS 39110</b>		City, State and ZIP Code
Name  <small>Street Address</small>		<small>City, State and ZIP Code</small> <small>Home Phone (Ind. Area Code)</small>
<b>DISCRIMINATION BASED ON (Check appropriate box(es))</b> <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		<b>DATE(S) DISCRIMINATION TOOK PLACE</b> Earliest <b>08-01-2019</b> Latest <b>08-01-2019</b> <input checked="" type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)) <p>On or about August 2019, my employer made a promotion to fill a vacant OVR Director of Client Services position. The position was never posted; therefore, I was not aware and unable to apply.</p> <p>I believe I was discriminated against because of my race (black) in violation of Title VII of the Civil Rights Act of 1964, as amended, because:</p> <p>a) A white female was selected for the position, who is lesser or no more qualified than I am.</p>		
<small>I want this charge filed with both the EEOC and the State or local Agency. If any one advise the agency if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures</small>		<small>NOTARY - When necessary for State and Local Agency Requirements</small>
<small>I declare under penalty of perjury that the above is true and correct.</small>		<small>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief</small> <small>SIGNATURE OF COMPLAINANT</small>
<small>8/28/19</small>		<small>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE</small> <small>August 28, 2019</small>

EXHIBIT A

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## EEOC AFFIDAVIT

(This form is affected by the Privacy Act of 1974. See Privacy Act Statement on reverse before completing this form.)

NAME <i>Sandra T. Sanders</i>	TELEPHONE NUMBER (Give area code) HOME: 661-513-2602 WORK: 601-483-3881
ADDRESS (Number, street, city, state, zip) <i>P.O. Box 231 Enterprise, MS 39330</i>	THE FOLLOWING PERSON CAN ALWAYS CONTACT ME
NAME AND TELEPHONE NUMBER	
ADDRESS (Number, street, city, state, zip)	
STATUS OF EMPLOYMENT	
CHECK ONE <input type="checkbox"/> WORKING <input type="checkbox"/> NOT WORKING	NAME OF EMPLOYER
<input type="checkbox"/> SOUGHT EMPLOYMENT AT	
TYPE OF BUSINESS	DATES OF EMPLOYMENT      FROM:      TO WHEN EMPLOYMENT WAS SOUGHT      FROM:      TO
POSITION TITLE	DEPARTMENT
ADDRESS (Number, street, city, state, zip)	

*See Attachment.*

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March 1, 2014 – I was promoted to Bureau Director, Deputy (District Manager) position after the removal of Carol Elrod. There are approximately 9 employees in same position. May 29, 2019 – I interviewed for Bureau Director II (Regional Manager Position). June 2019 – I received a letter denying my acceptance for the position.

The position of Bureau Director II (Regional Manager) had been re-vamped from four (4) positions serving North, South, Central and South Central Regions to two (2) positions serving the Northern and Southern Regions. The Bureau Director II (Regional Managers) positions were given to Donnie Frazier (black male), Northern Region and Sheila Mills (white female), Southern Region. Other candidates and I were given the opportunity to apply and interview for the position of Bureau Director II (Regional Manager).

However, I was not given the opportunity to apply for the Office of Vocational Rehabilitation Services (OVR) Director of Client Services position. Carol Elrod (white female) was appointed to the position without any advertisement for it.

The Mississippi Department of Rehabilitation Services has a pattern of unfair and racially discriminatory hiring practices.

As documented from Karren Cresap's email (see attachment 4), Chris Howard (white male), Executive Director, and Katie Storr (white female), HR Director have not driven to my office in Meridian to offer me a promotional position as they did Karren Cresap (white female) (see attachment dated February 16, 2017).

Chris Howard and Katie Storr never offered to create a position for me as they did Karren Cresap (white female) on December 1, 2017 (see attachment 4).

In conclusion, I am filing this report with EEOC due to my being discriminated against because of my race when seeking promotional positions in order to advance within the agency. They are filing these positions with white counterparts that have the same or less experience than I and/or education,

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U.S. Department of Justice

Civil Rights Division

NOTICE OF RIGHT TO SUE WITHIN 90 DAYS

VIA EMAIL

950 Pennsylvania Avenue, N.W.  
Karen Ferguson, ERM, PIIB, Room 4701  
Washington, DC 20530

July 07, 2020

Ms. Sandra Sanders  
P.O. Box 231  
Enterprise, MS 39330

Re: EEOC Charge Against Mississippi Dept. of Rehabilitation Services  
No. 423201901876

Dear Ms. Sanders:

Because you filed the above charge with the Equal Employment Opportunity Commission, and more than 180 days have elapsed since the date the Commission assumed jurisdiction over the charge, and no suit based thereon has been filed by this Department, and because you have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.

If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice. If you cannot afford or are unable to retain an attorney to represent you, the Court may, at its discretion, assist you in obtaining an attorney. If you plan to ask the Court to help you find an attorney, you must make this request of the Court in the form and manner it requires. Your request to the Court should be made well before the end of the time period mentioned above. A request for representation does not relieve you of the obligation to file suit within this 90-day period.

The investigative file pertaining to your case is located in the EEOC Jackson Area Office, Jackson, MS.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

Eric S. Dreiband  
Assistant Attorney General  
Civil Rights Division

by /s/ Karen L. Ferguson  
Karen L. Ferguson  
Supervisory Civil Rights Analyst  
Employment Litigation Section

cc: Jackson Area Office, EEOC  
Mississippi Depl. of Rehabilitation Services

EXHIBIT B

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IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

SANDRA SANDERS

PLAINTIFF

VS.

CASE NO.: 20-622

MISSISSIPPI DEPARTMENT OF  
REHABILITATION SERVICES

DEFENDANT

SUMMONS

TO: Mississippi Department of Rehabilitation Services  
Mississippi Attorney General's Office  
Honorable Lynn Fitch, Mississippi Attorney General  
550 High Street, Suite 1200, Jackson, MS 39205

NOTICE TO DEFENDANTS

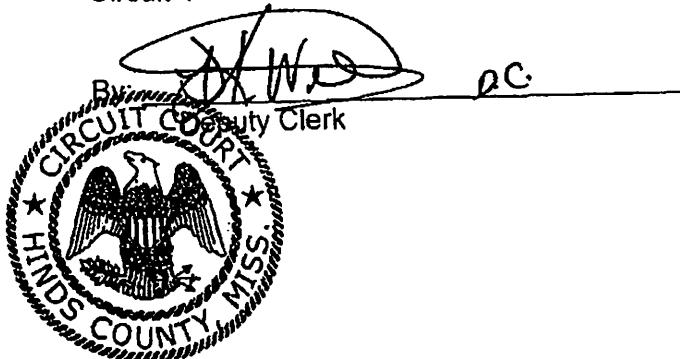
The Complaint which is attached to this summons is important and you must take immediate action to protect your rights.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Watson & Norris, PLLC, 1880 Lakeland Drive, Suite G, Jackson, Mississippi 39216, the attorney for the Plaintiff. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 2<sup>nd</sup> day of OCT.  
2020.

Honorable Zack Wallace  
Circuit Clerk of Hinds County, MS



Case: 25CI1:20-cv-00622-WLK Document #: 4 Filed: 10/05/2020 Page 1 of 2

**IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**SANDRA SANDERS**

**PLAINTIFF**

**VS.**

**CASE NO.: 20-622**

**MISSISSIPPI DEPARTMENT OF  
REHABILITATION SERVICES**

**DEFENDANT**

**NOTICE OF APPEARANCE**

**COMES NOW**, Nick Norris, WATSON & NORRIS, PLLC, 1880 Lakeland Drive, Suite G, Jackson, MS 39216, (601) 968-0000, and gives notice of his appearance as counsel for Plaintiff.

THIS, the 5th day of October, 2020.

Respectfully submitted,

/s Nick Norris.  
NICK NORRIS (MSB#101574)  
Attorney for Plaintiff

**OF COUNSEL:**

WATSON & NORRIS, PLLC  
1880 Lakeland Drive, Suite G  
Jackson, MS 39216  
Phone: (601) 968-0000  
Facsimile: (601) 968-0010  
[nick@watsonnorris.com](mailto:nick@watsonnorris.com)

Case: 25CI1:20-cv-00622-WLK Document #: 4 Filed: 10/05/2020 Page 2 of 2

**CERTIFICATE OF SERVICE**

I, Nick Norris, attorney for Plaintiff do hereby certify that I have this day filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing or mailed, via United States Mail, postage prepaid, on all counsel of record.

THIS, the 5th day of October, 2020.

/s/Nick Norris  
NICK NORRIS

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IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

SANDRA SANDERS

PLAINTIFF

VS.

CASE NO.: 20-622

MISSISSIPPI DEPARTMENT OF  
REHABILITATION SERVICES

DEFENDANT

SUMMONS

TO: Mississippi Department of Rehabilitation Services  
Mississippi Attorney General's Office  
Honorable Lynn Fitch, Mississippi Attorney General  
550 High Street, Suite 1200, Jackson, MS 39205

NOTICE TO DEFENDANTS

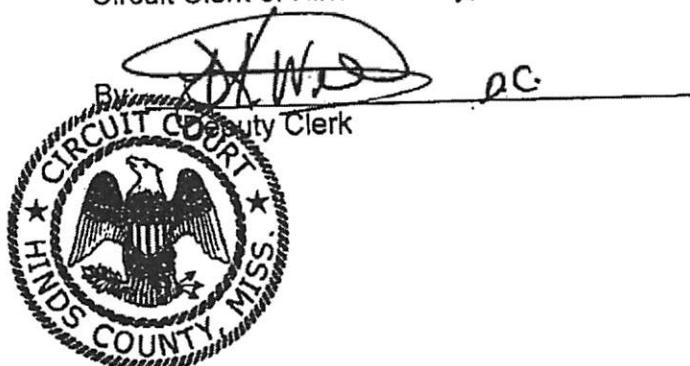
The Complaint which is attached to this summons is important and you must take immediate action to protect your rights.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Watson & Norris, PLLC, 1880 Lakeland Drive, Suite G, Jackson, Mississippi 39216, the attorney for the Plaintiff. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

ISSUED under my hand and the seal of said Court, this the 2<sup>nd</sup> day of Oct.  
2020.

Honorable Zack Wallace  
Circuit Clerk of Hinds County, MS



Case: 25CI1:20-cv-00622-WLK Document #: 5 Filed: 12/07/2020 Page 2 of 2

**RETURN OF PROCESS SERVER**

**STATE OF MISSISSIPPI**

**COUNTY OF Hinds**

( ) I personally delivered copies of the summons on the 1<sup>st</sup> day of December 2020, to: Dawn Fitch Attorney General who is designated by law to accept service of process on behalf of MS Department of Rehabilitation Services

(  ) After exercising reasonable diligence I was unable to deliver copies of the summons to \_\_\_\_\_ within \_\_\_\_\_ County, \_\_\_\_\_. I served the summons on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said \_\_\_\_\_ by leaving a true copy of the summons with \_\_\_\_\_, who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served, above the age of sixteen years and, unwilling to receive the summons, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left:

(  ) I was unable to serve the summons.

This the 1<sup>st</sup> day of December, 2020.

Mary Ann Reaman  
PROCESS SERVER

**RETURN TO:**

**WATSON & NORRIS, PLLC**  
1880 Lakeland Drive, Suite G  
Jackson, MS 39216-4972